

NOAA Restoration Center, F/HC3
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02 July 2002

MEMORANDUM TO: Georgia Cranmore, Chief
NOAA Protected Resources Division, F/SER3

FROM: LT Mark Sramek, NOAA
NOAA Restoration Center, F/HC3

SUBJECT: ESA Section 7 determination for Ecological and Recreational Projects
resulting from the Fort Lauderdale Area Mystery Spill.

The Florida Department of Protection and the National Oceanic and Atmospheric Administration (the "Trustees") have conducted a Natural Resource Damage Assessment for August 08, 2000 Fort Lauderdale Area Mystery Spill. The Trustees propose the implementation of restoration projects that will compensate the public for lost recreational beach user activities as well projects which will compensate for lost ecological resources resulting from the spill.

Ecological resources injured from the spill include sea turtle hatchlings and adults, marine biomass and sea birds. Preferred ecological projects include funding increased sea turtle lighting enforcement programs in West Palm Beach and Brevard Counties, the creation of mangrove habitat in Dade County, and seabird education signage installation. As a result of the spill a number of area beaches were closed to the public and a recreational lost use injury occurred. Preferred recreational projects include sea oat plantings, dune walkover construction, the purchase of carts for the handicapped, and shade provisions. Details of the damage assessment and preferred restoration projects are found within the attached Draft Damage Assessment and Restoration Plan/Environmental Assessment (DARP/EA).

Based on review the species present in the area and the techniques being used to implement the restoration, the National Oceanic and Atmospheric Administration trustee representative anticipates no adverse effects to threatened or endangered species associated with construction of said the projects described above and in the attached plan. Additionally, each project to be implemented will be required to obtain and comply with all applicable local, state, and federal permits.

If the Office of Protected Resources disagrees with this determination and recommends additional conservation measures, please inform this office within 10 days. Please do not hesitate to contact me if you need additional information.

Cc: Linda Burlington, NOAA GCNR
Tony Penn, NOAA DAC
Tom Moore, NOAA RC

Encl.